Case 2:07-cv-01063-WKW-SRW Document 8 Filed 01/28/2008 Page 1 of 1 IN the District Court of the United States FOR the Middle District of Alabama NORTHERN DIVISION

JAMUEL R. GARDNER I, No. 107989, PLAINTIFF
2000 JAN 28 A

10 Civil Action No: 2:07-CV-1063-WKW

V5.

LEON FORMISS, ET AL.,

Motion FOR LEAVE TO Submit Motion TO TAX, for CAUSE

COMES NOW SAMUEL R. GARDNER, MOVANT PRO SZ, in abovestyled CAUSE AND RESPECTFULLY MOVES this HON. CONET FOR LEAVE to submit attached Motion To TAX, for CAUSE.

DONE, this 25th day of JAN.

,2008.

Respectfully submitted, ADDC STATON Staton Correctional Facility P.O. BOX 56 ELMORE, AL 36025

CENTIFICATE OF SERVICE

I, SAMUEL R. GARDNER, HEREBY CERTITY I HAVE SERVED A COPY of ABOVE ON: How Messes. Kim T. Thomas, Esa. And Albert S. Butler, Esa., Office of Attorney GENERAL, Il So. UNION St., MONTGOMERY, AL 36130-0152; AND ON ALABAMA Dept. of CORREctions, LEGAL DIVISION, 301 So. Ripley St., P.O. Box 301501, Montgomeny, AL 36130-1501 by placing the two SEPARATE ENVELOPES, postage prepaid, in the prison mail box on above date.

(Above Address)

Case 2:07-cv-01063-WKW-SRW Document 8-2 Filed 01/28/2008 Page 1 of 3

IN the District Count of the United States

FOR the Middle District of Alabama

Northern Division

SAMUEL R. GARDNERII, No. 107989,

<u>Civil Action No.:</u> 2:07-CV-1063-WKW

VS.

LEON FORNISS; ET AL, MIDDLE DISTRICT ALL.

defendants

Motion To TAX FILING FEE AND COURT Costs, for CAUSE

Comes NOW SAMUEL R. GARDNER, MOVANT PRO SE AND RESPECTFULLY MOVES this HON. Court, As follows'.

- (1.) Whereas plaintiff sought transportation to Local VETERANS
 Administration Hospital; and
- (2.) Whereas it is uncontested fact in this cause that defendant(s)

 ROUTINELY PROVIDE TRANSPORTATION FOR PRISONERS to hospitals AS FAR

 REMOVED AS BIRMINGHAM [AND EVEN TO A MEDICAL FACILITY IN THE STATE

 OF SOUTH CAROLINA (ON CONTRACT)]; AND
- (3.) Whereas plaintiff was informed by defendant (s) that he would only be transported to the Local Veterans Hospital by way of Count Dader (thus necessitating this Court Action); and Exhibit A, original plending, is probative of this fact; and

(4.) Noting that plaintiff sought weither compensatory NOR punitive damages in this cause:

Accordingly, plaintiff respectfully moves this How. Court to tax plaintiff's filing fee and Court costs against defendant(s); or-in the Alternative -- to waive filing fee and Court costs under this particular set of circumstances.

DONE, this 25th day of JAN. , 2008.

Respectfully submitted, Samuel R. Standies

PAGE DNE of TWO PAGES

SAMUEL R. GARDNERI, #107989
ADDC STATON
STATON CORREctioNAL FACILITY
P.O. BOX 56
ELMORE, AL 36025

CERTIFICATE OF SERVICE

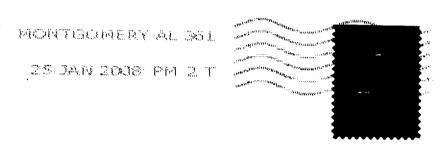
I, SAMUEL R. GARDNER, hereby certify I have SERVED A copy of above on: How Messes. Kim T. Thomas, Esq., and How. Albert S. Butler (Butl 1227), Esq., Office of Attorney General, 11 So. Union St., Montgomery, AL 36130-0152; And on Alabama Dept. of Corrections - Legal Division, 301 So. Ripley St., P.O. Box 301501, Mentgomery, AL 36130-1501, by placing the two (2) separate envelopes, postage prepaid, in the prison mail box on above date, (page one).

*Their plane: (334) 353-3885.

Attest: Samuel R. Jardiner Samuel R. GARDINER, PRO SE.

(Address As ON PAGE TWO, At top)

Samuel. R. Gardner, II, #107989 ADOC Staton Staton Correctional Facility P.O. Box 56 Elmore, AL 36025



Office of the Clerk United States District Court P.O. Box 7/1

Montgomery, AL

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